

ARTICLE 2
DEFINITIONS

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103.201. INTERPRETATION.

For the purposes of this Ordinance, the present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular. The word “shall” is mandatory; the word “may” is permissive; the words “used” or “occupied” include the words “intended, designed”, or “arranged to be used” or “occupied”, and certain terms or words shall be interpreted as defined in 202, Definitions below.

103.202. DEFINITIONS.

As used in this ORDINANCE, the following terms shall have the following meanings:

ABUTTING - Having a common border with, or being separated from such common border, by an ALLEY or EASEMENT.

ACCESS - A means of vehicular approach or entry to or exit from a LOT, a SITE or a PARCEL.

AGRICULTURE - Any agricultural use, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, animal and poultry husbandry and related use of equipment and STRUCTURES necessary for the foregoing purposes.

AIRPORT NOISE EXPOSURE AREA - PARCELS which are exposed or projected to be exposed to airport related noise levels in excess of 65 Ldn; in this ORDINANCE, as defined by the Allegheny COUNTY Department of Aviation in 1981 in conjunction with the Airport Noise Control and Land Use Compatibility Study.

ALLEY - A private or PUBLIC STREET primarily designed to serve as secondary ACCESS to the side or rear of LOTS whose principal FRONTAGE is on some other STREET.

APPLICANT - A LANDOWNER or DEVELOPER who has filed an APPLICATION FOR DEVELOPMENT, including his heirs, successors and assigns, as the case may be.

APPLICATION FOR DEVELOPMENT - Every application, whether preliminary or final, required to be filed and approved prior to the start of CONSTRUCTION or DEVELOPMENT, including but not limited to an application for ZONING APPROVAL, for temporary ZONING APPROVAL, for the approval of a SUBDIVISION or LAND DEVELOPMENT or for the approval of a PRELIMINARY PLAN or FINAL PLAN.

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Every APPLICATION FOR DEVELOPMENT must include the form designated by the ZONING ADMINISTRATOR and the appropriate SITE PLAN.

APPLICATION FOR FINAL APPROVAL - The application for FINAL APPROVAL of a DEVELOPMENT to be submitted by a DEVELOPER to the TOWNSHIP.

APPLICATION FOR PRELIMINARY APPROVAL - The application for PRELIMINARY APPROVAL of a DEVELOPMENT to be submitted by a DEVELOPER to the TOWNSHIP.

ARTERIAL ROAD - A PUBLIC ROAD intended to provide for high-speed travel between or within communities or to and from COLLECTOR ROADS and EXPRESSWAYS. ACCESS is controlled so that only regionally significant land uses may take direct ACCESS to these streets.

AUTHORITY - A body politic and corporate created pursuant to the act of May 2, 1945 (P.L. 382, No. 164) known as the "Municipality Authorities Act of 1945".

BASE SITE AREA - A portion of a SITE, calculated in accordance with Section 308 of the ZONING ORDINANCE.

BERM - A mound of soil, either natural or man-made, used to obstruct views.

BICYCLE LANE - A lane at the edge of a ROAD reserved and marked for the exclusive use of bicycles.

BICYCLE PATH - A pathway usually separated from the ROAD, designed specifically to satisfy the physical requirements of bicycling.

BLOCK - A PARCEL entirely surrounded by PUBLIC highways, STREETS, streams, railroad RIGHT-OF-WAY, or parks, etc., or a combination thereof.

BOARD - The Zoning Hearing Board appointed and organized in conformance with the MPC.

BUFFERYARD - A portion of a SITE, together with a specified type and amount of planting thereon, and any STRUCTURES which may be required between PARCELS or eliminate or minimize conflicts between them.

BUILDING - A STRUCTURE built, maintained, or intended for use for the shelter or enclosure of PERSONS, animals, or property of any kind. The term is inclusive of any part thereof. Where independent units with separate entrances are divided by party wall, each unit is a BUILDING.

BUILDING INSPECTOR - The duly designated **BUILDING INSPECTOR** of Findlay Township.

BUILDING PERMIT - A permit for the erection or **STRUCTURAL ALTERATION** of a **STRUCTURE** to be erected or structurally altered in accordance with the **BUILDING CODE**.

CALIPER - A measurement of the size of a tree equal to the diameter of its trunk is measured six (6) feet above ground level. **(Amended 6-14-00 by Ord. No. 292)**

CAPPED SYSTEM - A completed water supply and/or sewerage system put in place for future use (contingent upon expansion), rather than to meet immediate **DEVELOPMENT** needs.

CARTWAY - The paved portion of a road or **STREET RIGHT-OF-WAY** excluding shoulders, curbs and drainage swales.

CHANNEL - The bed and banks of a natural stream which convey the constant or intermittent flow of the stream.

CHANNELIZATION - The straightening and deepening of **CHANNELS** and/or the surfacing thereof to permit water to move rapidly and/or directly.

CLEAR SIGHT TRIANGLE - A triangular-shaped portion of land established at **STREET** intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the **SIGHT DISTANCE** of motorists entering or leaving the intersection. This area is regulated as lines of sight between points on the center lines of intersecting **STREETS** at a given distance from the intersection.

COLLECTOR ROAD - **ROADS** connecting residential **STREETS** to the **ARTERIAL ROADS** or providing **ACCESS** to **NON-RESIDENTIAL USES** and **STREETS**. **COLLECTOR ROADS** form barriers between neighborhoods and are designed for higher speeds and traffic volumes than are **RESIDENTIAL STREETS**.

COMMON AREAS - All those areas in **PLANNED DEVELOPMENTS**, including **COMMON OPEN SPACES**, owned or leased and maintained by an association or other combination of **PERSONS** for the benefit of the residents of the **PLANNED DEVELOPMENT** and, if owned under the Pennsylvania Unit Property Act or the Pennsylvania Uniform Condominium Act, including all common elements designated for the use of all dwelling unit owners.

COMMON OPEN SPACE - A **LOT** or portion thereof or a body of water or a

combination thereof within a DEVELOPMENT SITE for the use and enjoyment of residents of the PLANNED RESIDENTIAL DEVELOPMENT, not including STREETS, OFF-STREET PARKING AREAS and areas set aside for facilities for the general populace.

COMPLETION GUARANTEE - A surety bond or certified check and a DEVELOPER'S AGREEMENT to the effect that the DEVELOPER will install required IMPROVEMENTS.

COMPREHENSIVE PLAN - The overall policy guide for the physical DEVELOPMENT of the TOWNSHIP consisting of maps, charts, and textual matter in accordance with the MPC.

CONSTRUCTION - The CONSTRUCTION, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a STRUCTURE, including the placement of MOBILE HOMES.

CONSULTANT - Any consultant to the TOWNSHIP including an engineer, traffic engineer, architect or attorney.

COUNTY - The COUNTY of Allegheny, Pennsylvania.

CROSSWALKS - A RIGHT-OF-WAY, municipally authorized, which cuts across a BLOCK to furnish ACCESS for pedestrians to adjacent STREETS or properties.

CULVERT - A STRUCTURE designed to convey a water course not incorporated in a closed DRAINAGE system under a ROAD or pedestrian walk.

CURB - A vertical or sloping edge of a ROAD.

DEDICATION - The transfer of property interests from private to PUBLIC ownership for a PUBLIC purpose. The transfer may be of fee-simple interest or of a less than fee interest, including an EASEMENT.

DETENTION BASIN - A basin designed to retard stormwater runoff by temporarily storing the runoff and releasing it at a predetermined rate. A detention basin shall be designed to drain completely after a storm event.

DEVELOPER - Any LANDOWNER, agent of such LANDOWNER or tenant with permission of such LANDOWNER, who makes or causes to be made an APPLICATION FOR DEVELOPMENT.

DEVELOPER'S AGREEMENT - The agreement between the TOWNSHIP and the

DEVELOPER which is required for FINAL APPROVAL of an APPLICATION FOR DEVELOPMENT and which shall state all conditions for DEVELOPMENT and shall establish the responsibilities of the parties to the agreement including COMPLETION GUARANTEES, sequencing, scheduling, methods of construction and provision of PUBLIC IMPROVEMENTS required prior to release of guarantees.

DEVELOPMENT - The division of a PARCEL of land into two (2) or more PARCELS; the CONSTRUCTION, reconstruction, conversion, structural alteration, relocation, or enlargement of any BUILDINGS; any use or change in use of any BUILDINGS or land; and extension of any use of land or any clearing, GRADING, or other movement of land, for which permission may be required pursuant to this ORDINANCE.

DEVELOPMENT PLAN - The provisions for DEVELOPMENT, including a PLANNED RESIDENTIAL DEVELOPMENT, a PLAT of SUBDIVISION, all covenants relating to use, location and bulk of BUILDINGS and other structures, intensity of use or density of DEVELOPMENT, STREETS, ways and PARKING AREAS, COMMON OPEN SPACE and PUBLIC facilities.

DIVIDED STREET - A STREET having an ISLAND or other barrier separating moving lanes.

DRAINAGE - The removal of surface water or groundwater from land by drains, GRADING, or other means.

DRAINAGE FACILITY - Any component of the DRAINAGE SYSTEM.

DRAINAGE SYSTEM - The system through which water flows from the land, including all watercourses, waterbodies and WETLANDS.

DROP MANHOLE - A MANHOLE provided for inspection and maintenance of SEWERS where an incoming SEWER is considerably higher than the outgoing.

DRY LINES - See Capped System.

EASEMENT - Authorization by a LOT owner of the use by another and for a specified purpose of any designated part of his LOT.

ENVIRONMENTAL CONSTRAINTS - Features, natural resources, or land characteristics that are sensitive to IMPROVEMENTS and may require conservation measures or the employment of creative DEVELOPMENT techniques to prevent degradation of the environment, or may require limited DEVELOPMENT, or in certain instances may preclude DEVELOPMENT.

EROSION - The detachment and movement of soil or rock fragments, or the wearing away of the land surface by water, wind, ice, or gravity.

ESCROW - A deed, a bond, money, or a piece of property delivered to a third PERSON to be delivered by him to the grantee only upon fulfillment of a condition.

FEDERAL GOVERNMENT - The government of the United States of America.

FEMA - The Federal Emergency Management Agency.

FENCE - A fabricated barrier used to enclose an area of a LOT or SITE.

FILL - The depositing of land, whether submerged or not, of sand, gravel, earth, or other materials of any composition whatsoever.

FINAL APPROVAL - The ultimate approval of a DEVELOPMENT granted by the BOARD OF SUPERVISORS which follows PRELIMINARY APPROVAL and filing of the FINAL DEVELOPMENT PLAN, all granted in accordance with Article 6 of this ordinance.

FINAL PLAN - The final map of a SUBDIVISION which is submitted for approval by the BOARD OF SUPERVISORS and which, if approved, will be filed with the COUNTY Recorder of Deeds.

FINAL PLAT - See FINAL PLAN.

FIS - FLOOD Insurance Study with accompanying FLOOD boundary-floodway map prepared for the TOWNSHIP by the Federal Insurance Administration, dated September 24, 1987.

FLOOD - A temporary inundation of normally dry land areas.

FLOODPLAIN AREA - A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

FLOOD WAY AREA - Actual stream or drainage CHANNEL subject to periodic inundation by water and identified as an AE ZONE in the FEMA FLOOD Insurance Study.

FLOODPROOFING - Any combination of structural and nonstructural additions, changes or adjustments to STRUCTURES which reduce or eliminate FLOOD damage to real estate or improved real property, water and sanitary facilities, STRUCTURES and

their contents.

FLUSHING - The cleaning out of debris and **SEDIMENT** from pipes by force of moving liquid, usually water.

GPIA - Greater Pittsburgh International Airport.

GRADE - The slope of the ground surface, **SIDEWALK**, **STREET**, or **PUBLIC** way, specified in percentage (%) terms.

GRADING - The act of changing the natural contour of the land in any way.

GRADING ORDINANCE - The Findlay **TOWNSHIP GRADING ORDINANCE** (**ORDINANCE 148** as amended).

GRADING PLAN - A plan to be prepared where a **DEVELOPER** contemplates removal, modification or destruction of existing **STRUCTURES** and/or **GROUND COVER** and which shall be submitted with an **APPLICATION FOR DEVELOPMENT** in accordance with this **ORDINANCE** or the **GRADING ORDINANCE**.

GROUND COVER - A planting of low-growing plants or sod that in time forms a dense mat covering the surface of the land, preventing soil from being blown or washed away.

GUTTER - A shallow **CHANNEL** usually set along a **CURB** or the pavement edge of a **ROAD** for purposes of catching and carrying runoff water.

HALF (PARTIAL) STREET - A **STREET**, generally parallel and adjacent to a property line, having a lesser **RIGHT-OF-WAY** width than normally required for improvement and use of the **STREET**.

IMPROVEMENT - Any man-made, immovable item which becomes a part of, placed upon, or is affixed to, real estate and which is necessary to produce usable and desirable **LOTS** from raw acreage including, but not limited to, **GRADING**, pavement, **CURB**, storm and sanitary **SEWERS**, **GUTTER**, drains, and betterment to existing water courses, **SIDEWALKS**, **STREET SIGNS**, **CROSSWALKS**, shade trees, **GROUND COVERS**, sodding or seeding, **STREET** name **SIGNS** and monuments.

ISLAND - A raised in a **STREET** area, usually curbed, placed to guide traffic and separate lanes, or used for landscaping, **SIGNS** or lighting.

LAND DEVELOPMENT - Any of the following activities:

(1) The improvement of one **LOT** or two or more contiguous **LOTS**, tracts or

PARCELS of land for any purpose involving:

- (a) a group of two or more residential or non-RESIDENTIAL BUILDINGS, whether proposed initially or cumulatively, or a single non-RESIDENTIAL BUILDING on a LOT or LOTS regardless of the number of occupants or tenure; or
 - (b) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of STREETS, common areas, leaseholds, condominiums BUILDING groups or other features.
- (2) SUBDIVISION of land.
- (3) The following shall not be considered a LAND DEVELOPMENT:
- (a) the conversion of an existing single-family detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium;
 - (b) the addition of an accessory BUILDING, including farm BUILDINGS, on a LOT or LOTS subordinate to an existing principal BUILDING; or
 - (c) the addition or conversion of BUILDINGS or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this exemption, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until the initial plans for the expanded area have been approved by the municipality.

LANDOWNER - The legal or beneficial owner or owners of a LOT, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any conditions), a lessee (if he is authorized under the lease to exercise the rights of the LANDOWNER) or other PERSONS having a proprietary interest in the LOT.

LANDSCAPE PLAN - A LANDSCAPE PLAN prepared by a landscape architect identifying each tree and shrub by size, type and scientific name, B & B or bare root, location together with a planting diagram and such other diagrams or REPORTS necessary to show method of planting, staking and mulching, grass seeding specifications and mixtures and existing trees over six (6) inches in diameter at a point one (1) foot above the ground.

LANDSLIDE PRONE - Land which is susceptible to movement or sliding; in this

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ORDINANCE, as identified by the Allegheny COUNTY Department of Planning, based on maps of LANDSLIDE-PRONE AREAS prepared by the United States Geological Survey in 1973.

LATERAL - Pipes for utilities connecting individual BUILDINGS to larger pipes called MAINS, trunks or interceptors that usually are located in STREET RIGHTS-OF-WAY.

LIGHTING - Artificial illumination as of walks, PARKING AREAS, STRUCTURES and outdoor features. LIGHTING is defined and regulated in terms of the following characteristics:

- (1) Candlepower - the amount of light that will illuminate a surface one foot distant from a light source to an intensity of one footcandle. Maximum (peak) candlepower is the largest amount of candlepower emitted by any lamp, light source or luminaire.
- (2) Cutoff - the point at which all light rays emitted by a lamp, light source or luminaire are completely eliminated (cutoff) at a specific angle above the ground.
- (3) Cutoff angle - the angle formed by a line drawn from the direction of light rays at the light source and a line perpendicular to the ground from the light source, above which no light is emitted.
- (4) Cutoff-type luminaire - a luminaire with elements such as shields, reflectors or fractor panels which direct and cut off the light at a cutoff angle that is less than ninety degrees.
- (5) Footcandle - a unit of illumination produced on a surface, all points of which are one foot from a uniform point source of one cancel.
- (6) Glare - the brightness of a light source which causes eye discomfort.
- (7) Luminaire - a complete lighting unit consisting of a light source and all necessary mechanical, electrical and decorative parts.
- (8) Maximum permitted illumination - the maximum illumination measured in footcandles at the interior BUFFERYARD line at ground level in accordance with the standards of the ZONING ORDINANCE.

LOT - A designated part of a SITE or a PARCEL that is legally existing. A SITE or PARCEL may include more than one (1) LOT, but a LOT cannot include more than one (1) SITE.

LOT AREA - The area contained within the boundary lines of a LOT.

LOT, CORNER - A LOT ABUTTING two or more STREETS at their intersection.

LOT, DOUBLE FRONTAGE - A LOT, other than a CORNER LOT, which has frontage on more than one (1) PUBLIC STREET.

LOT DEPTH - The mean horizontal distance between the FRONT LOT LINE and the REAR LOT LINE of the LOT measured within the LOT boundaries.

LOT FRONTAGE - LOT width measured at the RIGHT-OF-WAY line. When a LOT abuts more than one STREET, LOT WIDTH shall be measured, and the minimum LOT WIDTH required by this ORDINANCE shall be provided, at each RIGHT-OF-WAY line.

LOT LINE - A line bounding a LOT which divides one LOT from another or from a STREET or any other PUBLIC or private space.

LOT LINE, FRONT - The LOT LINE that extends along a PRIVATE or PUBLIC STREET. In the case of DOUBLE FRONTAGE LOTS, the FRONT LOT LINE shall abut the STREET providing primary ACCESS to the LOT.

LOT LINE, REAR - That LOT LINE which is parallel to and most distant from the FRONT LOT LINE of the LOT; in the case of an irregular, triangular, or gore-shaped LOT, a line twenty (20) feet in length, entirely within the LOT, parallel to and at the maximum possible distance from, the FRONT LOT LINE shall be considered to be the REAR LOT LINE. In the case of DOUBLE FRONTAGE LOTS, the REAR LOT LINE shall be opposite the LOT LINE that abuts the STREET providing primary ACCESS to the LOT.

LOT LINE, SIDE - Any LOT LINE other than a FRONT or REAR LOT LINE.

LOT LINE, STREET - The LOT LINE separating a LOT from a STREET.

LOT OF RECORD - Any validly recorded LOT which at the time of its recordation complied with all applicable laws, ORDINANCES, and regulations.

LOT WIDTH - The mean horizontal distance between the SIDE LOT LINES measured at right angles to those SIDE LOT LINES at the FRONT BUILDING LINE. Where there is only one SIDE LOT LINE, LOT WIDTH shall be measured between such LOT LINE and the opposite LOT LINE or future RIGHT-OF-WAY line.

MAIN - In any system of continuous piping, the principal artery of the system to which

branches may be connected.

MAINTENANCE GUARANTEE - A guarantee of facilities or work to insure the correction of any failures of any **IMPROVEMENTS** required pursuant to this **ORDINANCE** and any other Findlay Township regulation, or to maintain the same.

MAJOR SUBDIVISION - Any **SUBDIVISION** not classified as a **MINOR SUBDIVISION** or proposing the **SUBDIVISION** or **DEVELOPMENT** of ten (10) or more **LOTS**.

MAJOR SITE PLAN - A plan for the **DEVELOPMENT** of greater than ten (10) acres.
MANHOLE - An inspection chamber whose dimensions allow easy entry and exit and working room for a **PERSON** inside.

MARGINAL ACCESS STREET - A service **STREET** that is parallel to a higher order **STREET** which, for safety, provides **ACCESS** to **ABUTTING PARCELS** and separation from through traffic. A **MINOR ACCESS STREET** may be designed as a **RESIDENTIAL STREET** or a **MINOR COLLECTOR ROAD**.

MARKER - A metal pipe or pin installed to delineate a specific location within a parcel of land or development.

MEDIAN - That portion of a divided highway separating lanes of traffic proceeding in opposite directions.

MINOR SITE PLAN - A plan for the **DEVELOPMENT** of less than ten (10) acres, provided that such plan does not involve a **PLANNED DEVELOPMENT** or the disturbance of any protected resource area.

MINOR RESIDENTIAL SUBDIVISION - A **SUBDIVISION** of a **PARCEL** into not more than ten (10) **LOTS**, provided that such **SUBDIVISION** does not involve a **PLANNED DEVELOPMENT**, any new **STREET**, or the extension of a utility or other municipal facility.

MONUMENT - A concrete post installed to delineate a specific location within a parcel of land or development.

MOUNTABLE CURB - A low **CURB** with a flat slope designed to be crossed easily without discomfort.

MOVING LANE - Any traffic lane where traffic movement is the primary if not sole function.

MULCH - A layer of wood chips, dry leaves, straw, hay, plastic, or other materials placed on the surface of the soil around plants to retain moisture, prevent weeds from growing, hold the soil in place, or aid plant growth.

MPC - The Pennsylvania Municipalities Planning Code, Act 247 of 1968, 53 P.S., 10101 et seq., as amended.

NON-RESIDENTIAL SITE PLAN - A plan prepared by a registered surveyor, Pennsylvania Registered Professional Engineer or Pennsylvania Registered Architect for a **SUBDIVISION** or **LAND DEVELOPMENT** and which is not classified as a **MINOR SITE PLAN** or proposing the **SUBDIVISION** or **DEVELOPMENT** of more than ten (10) or more acres for **NONRESIDENTIAL USE**.

NONRESIDENTIAL USE - Any use other than a **RESIDENTIAL USE**.

NOTICE, PUBLIC - See **PUBLIC NOTICE**.

OBSTRUCTION - Any wall, dam, wharf, embankment, levee, dike, pile, abutment, projection, excavation, **CHANNEL**, rectification, **CULVERT**, **BUILDING**, **FENCE**, stockpile, refuse, **FILL**, **STRUCTURE**, or matter in, along, across or projecting into any **CHANNEL**, watercourse or **FLOOD-prone** area which may impede, retard or change the direction of the flow of water either by itself or by catching or collecting debris carried by such water, or which is placed where the flow of the water might carry the same downstream to the damage of life and property.

OCCUPANCY - The physical possession upon, on or within any **LOT** or **STRUCTURE** for a use.

OCCUPANCY PERMIT - A permit for the use or **OCCUPANCY** of a **BUILDING**, **STRUCTURE** or **LOT** indicating compliance with all provisions of the **BUILDING** code, and of the **ZONING ORDINANCE**.

OFF-SITE - Located outside the **SITE** that is the subject of an **APPLICATION FOR DEVELOPMENT**.

OFF-LOT - Located outside the **LOT** that is the subject of an **APPLICATION FOR DEVELOPMENT**.

OFF STREET PARKING AREA - Any area arranged, designed, used or intended for use of parking and located within the boundaries of a **LOT** or **SITE**.

ON-LOT - Located on the **LOT** in question.

ON-SITE - Located on the **PARCEL** or **LOT** that is the subject of an **APPLICATION FOR DEVELOPMENT**, except in the context of **ON-SITE** detention, when the term means within the boundaries of the **DEVELOPMENT SITE** as a whole.

ONE HUNDRED YEAR FLOOD - A **FLOOD** that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a one percent (1%) chance of occurring each year, although the **FLOOD** may occur in any year).

OPEN SPACE - A portion of a **SITE** which may be improved but which is permanently preserved as non-buildable land intended for passive or active recreation.

ORDINANCE - The **FINDLAY TOWNSHIP SUBDIVISION** and **LAND DEVELOPMENT ORDINANCE**.

ORGANIC MATERIAL - Material of an organic nature, such as trees, grass, leaves, vegetation, stumps, branches, twigs, wood chips, food matter, refuse, peat, muck and organic soils which are inappropriate as fill materials due to compaction, decaying, settling or potential structural problems.

OVERLAY DISTRICT - An area of the **TOWNSHIP** subject to the restrictions set forth in Article V of the **ZONING ORDINANCE**.

OWNER - The **PERSON** or **PERSONS** having the right of legal title to, beneficial interest in, or a contractual right to purchase a **LOT** or **PARCEL** of land.

PA DER - Pennsylvania Department of Environmental Resources.

PARCEL - Any designated piece or tract of land located in the **TOWNSHIP** established by a **PLAT** or otherwise as permitted by law.

PARKING AREA - A **PUBLIC** or **PRIVATE GARAGE** or a paved, open off-street area other than a **DRIVEWAY** or **STREET** with adequate means of **ACCESS** and used exclusively for the parking of vehicles of occupants or visitors of the **LOT**; however, a **DRIVEWAY** serving a **SINGLE-FAMILY DWELLING** or which is for the exclusive **USE** of an individual **DWELLING UNIT** in a **RESIDENTIAL BUILDING** may be used as **PARKING AREA**.

PARKING SPACE - A portion of a **PARKING AREA** not less than nine (9) feet wide and eighteen (18) feet long, exclusive of **DRIVEWAYS** designed for the parking of only one (1) vehicle.

PAVING - A surface of at least 1 ½ inches binder and one (1) inch wearing courses of an asphaltic mix acceptable to the **TOWNSHIP** over at least six (6) inches of well-compacted and choked base course of crushed limestone, or six (6) inches of reinforced

concrete, or other equivalent design approved by the TOWNSHIP ENGINEER.

PERCOLATION TEST - A test designed to determine the ability of ground to absorb water, and used to determine the suitability of a soil for DRAINAGE or for the use of an ON-SITE SEWAGE DISPOSAL SYSTEM.

PERFORMANCE GUARANTEE - A financial guarantee to insure that all IMPROVEMENTS, facilities, or work required by this ORDINANCE will be completed in compliance with the ORDINANCE, regulations, and the approved plans and specifications of a DEVELOPMENT including but not limited to a performance bond, LOC, or escrow account in the amount of 110% of the cost of the facilities or improvements.

PERSON - An individual, partnership, PUBLIC or private association or corporation, firm, trust, estate, municipality, governmental unit, PUBLIC utility or any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

PLANNED DEVELOPMENT - A SITE of minimum specified acreage for which variations from the applicable ZONING DISTRICT or SUBDIVISION requirements may be allowed by SUPERVISORS and which is controlled by a LANDOWNER to be developed as a single entity.

PLANNING COMMISSION - The PLANNING COMMISSION of the TOWNSHIP of Findlay.

PLANNING MODULE COMPONENTS (PMC) - The application for sewage facilities planning for all LAND DEVELOPMENT requiring revision of the TOWNSHIP Comprehensive Official Sewage Facilities Plan which is submitted to the PA DER, the COUNTY Health Department and the TOWNSHIP Planning Agency in compliance with PA Chapter 71 as revised and with the PA Clean Streams Law and the Findlay Township Act 537 Official Sewage Facilities Plan dated November 1, 1990.

PLAT - The map or plan of a SUBDIVISION or LAND DEVELOPMENT, whether preliminary or final.

PRE-APPLICATION CONFERENCE - An initial meeting between DEVELOPERS and TOWNSHIP representatives which affords DEVELOPERS the opportunity to present their proposals informally and which is required under the provisions of this ORDINANCE prior to the submission of an APPLICATION FOR DEVELOPMENT.

PRE-CONSTRUCTION CONFERENCE - A required meeting between the DEVELOPER, contractor, CONSTRUCTION inspectors and TOWNSHIP representatives prior to the initiation of CONSTRUCTION for the purposes of reviewing conditions, regulations and methods of CONSTRUCTION.

PRELIMINARY PLAN - The written and graphic material describing a proposed **DEVELOPMENT** and indicating the proposed layout of a **SUBDIVISION** or **LAND DEVELOPMENT**.

PRELIMINARY PLAT - The preliminary map, drawing or chart indicating the proposed layout of the **SUBDIVISION**.

PRIVATE RIGHT-OF-WAY - The area dedicated to the use of a **PRIVATE STREET** or other private purposes for the use of owners, residents or visitors of a **PLANNED DEVELOPMENT** or **LOT**.

PRIVATE STREET - A **STREET**, including the entire **PRIVATE RIGHT-OF-WAY**, which is intended for private use and is a **PRIVATE IMPROVEMENT**.

PUBLIC - Owned, operated or controlled by a government agency, federal, state or local.

PUBLIC HEARING - A hearing before the **BOARD OF SUPERVISORS** or **ZONING HEARING BOARD** after **PUBLIC NOTICE**, which requires sworn testimony of all witnesses and transcribing of all testimony.

PUBLIC IMPROVEMENTS - All **STREETS**, walkways, **GUTTERS**, **CURBS**, **SEWERS**, water lines and other utilities or related facilities to be dedicated to or maintained by the **TOWNSHIP**; or to be maintained or operated by a private entity and the plans and specifications of which much comply with the **TOWNSHIP PUBLIC IMPROVEMENTS CODE**.

PUBLIC MEETING - A forum held pursuant to notice under the act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act".

PUBLIC NOTICE - A notice published once each week for two (2) successive weeks in a newspaper of general circulation in the **TOWNSHIP**. Such notice shall state the time and place of the **PUBLIC HEARING** and the particular nature of the matter to be considered at the **PUBLIC HEARING**. The first publication shall be not more than thirty (30) days or less than seven (7) days from the date of the **PUBLIC HEARING**.

PUBLIC OPEN SPACE - Land designated as **OPEN SPACE** which is owned by the municipality or other governmental agency and which is set aside for use by the general populace.

PUBLIC RIGHT-OF-WAY - The area dedicated to and accepted by the **TOWNSHIP**, **COUNTY** of commonwealth for a **PUBLIC STREET** and other **PUBLIC PURPOSES**.

PUBLIC STREET - A **STREET**, including the entire **PUBLIC RIGHT-OF-WAY**, which has been dedicated or devoted to **PUBLIC** use by legal mapping, use or other lawful means.

REAR BUILDING LINE - See BUILDING LINE, REAR.

REAR LOT LINE - See LOT LINE, REAR.

REAR YARD - See YARD, REAR.

REGULATORY FLOOD ELEVATION The ONE HUNDRED YEAR FLOOD elevation, plus a freeboard safety factor of one and one-half (1 ½) feet.

REPORT - Any letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant other than a SOLICITOR to any other body, board, officer or consultant for the purpose of assisting the recipient of such REPORT in the rendering of any decision or determination. All REPORTS shall be deemed recommendatory and advisory only and shall not be binding upon the recipient, board, officer, body or agency. Any REPORT used, received or considered by the body, board, officer or agency rendering a determination or decision shall be made available for inspection to the APPLICANT and all other parties to any proceeding upon request, and copies thereof shall be provided at cost of reproduction.

RESOURCE PROTECTION LAND - The total amount of the BASE SITE AREA required to be maintained as unused land in order to preserve sensitive natural features of the SITE and which is calculated as the sum of the amount of land having each resource multiplied by the RESOURCE PROTECTION RATIO established for that resource in the calculation sheet for Resource Protection in the ZONING ORDINANCE.

RETAINING WALL - A STRUCTURE erected between land of different elevation to protect STRUCTURES and/or to prevent the washing down or EROSION of earth from the upper slope level.

RETENTION BASIN - A basin designed to retard stormwater runoff by temporarily storing the runoff and allowing it to percolate into the ground.

RIGHT-OF-WAY - Land occupied or intended to be occupied by a STREET, CROSSWALK, railroad, utility, PUBLIC facility and/or other special use.

SCS - Soil Conservation Service.

SECRETARY; TOWNSHIP SECRETARY - The secretary of Findlay TOWNSHIP, Allegheny COUNTY, Pennsylvania.

SEDIMENTATION - A deposit of soil that has been transported from its site of origin by water, ice, wind, gravity, or other natural means as a product of EROSION.

SET BACK LINE - A line on a **LOT**, generally parallel to a **LOT LINE** or **ROAD RIGHT-OF-WAY** line, located a sufficient distance therefrom to provide the minimum **YARDS** required by this **ORDINANCE**. The **SETBACK LINE** limits the area in which **BUILDINGS** are permitted subject to all applicable provisions of this **ORDINANCE**.

SEWAGE DISPOSAL SYSTEM, ON SITE - A septic tank installation on an individual **LOT** which utilizes an aerobic bacteriological process for the elimination of solid wastes and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction, as permitted by Allegheny **COUNTY** Board of Health.

SEWER - Any pipe conduit used to collect and carry away **SEWAGE** or storm water runoff from the generating source to treatment plants or receiving streams.

SHOULDER - The graded part of the **RIGHT-OF-WAY** that lies between the edge of the paved **CARTWAY** and the curblin.

SIDEWALK - A paved path provided for pedestrian use and usually located at the side of a **ROAD** within the **RIGHT-OF-WAY**.

SIGHT DISTANCE - The maximum distance of unobstructed vision in a horizontal or vertical plane from within an automobile located at any given point on a **STREET**.

SIGHT TRIANGLE - See **CLEAR SITE TRIANGLE**.

SIGN - Any object, device, display, **STRUCTURE**, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, **PERSON**, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. **SIGNS** do not include the flag or emblem of any nation, organization of nations, state, city, religious, fraternal, or civic organization; also merchandise and pictures or models of products or services incorporated in a window display, works of art which in no way identify a product, or scoreboards located on athletic fields. Definitions of particular functional, locational, and structural types of **SIGNS** are listed in the **ZONING ORDINANCE**.

SIMPLE SUBDIVISION - The division of one **PARCEL** into two **LOTS** both of which are located on a **PUBLIC ROAD**, have the required area and **FRONTAGE** and can be serviced by all necessary **PUBLIC** utilities.

SITE - A **PARCEL** which is the subject of an **APPLICATION FOR DEVELOPMENT**.

SITE AREA - The total **PARCEL** area in a **SITE** as determined by a survey prepared by a registered Surveyor or Pennsylvania Registered Professional Engineer.

SITE PLAN - An accurately scaled **DEVELOPMENT PLAN** that illustrates the existing conditions on a **PARCEL** as well as depicting details of a proposed **DEVELOPMENT**.

SITE PLAN, MAJOR - See **MAJOR SITE PLAN**.

SITE PLAN, MINOR - See **MINOR SITE PLAN**

SKETCH PLAN - A rough plan of a proposed **SUBDIVISION** or other **DEVELOPMENT** outlining general, rather than detailed, **DEVELOPMENT** intentions and describing the basic parameters of a major **DEVELOPMENT** proposal, rather than giving full engineering details. As such, it allows general intentions to be proposed and discussed without the extensive costs involved in submitting a detailed proposal.

SOLICITOR - The **SOLICITOR** of the **TOWNSHIP** of Findlay.

STAFF CONFERENCE - An initial meeting between **DEVELOPERS** and **TOWNSHIP** staff which affords both parties the opportunity to identify and prepare for the probable requirements of a **DEVELOPMENT** proposal prior to **SITE PLAN DEVELOPMENT** and engineering beginning.

STEEP SLOPES - Land area where the inclination of the land's surface from the horizontal is twenty-five (25%) percent or greater. Slope is determined from on-site topographic **SURVEYS** prepared with a two-foot contour interval.

STORM WATER DETENTION - The slowing, dampening, or attenuating of runoff entering the natural drainage pattern or storm drainage system by temporarily holding it in surface or subsurface area such as detention basins, reservoirs, rooftops, streets, parking lots, or within the drainage system itself, and releasing the water at a desired rate of discharge.

STORM WATER RETENTION - The slowing, dampening, or attenuating of runoff entering the natural drainage pattern or storm drainage system by temporarily holding it in surface or subsurface areas such as retention basin, or reservoirs and allowing the runoff to percolate into the ground.

STREET - An avenue, boulevard, **ROAD**, highway, freeway, parkway, lane, viaduct and any other ways used by vehicular traffic or pedestrians but not including **DRIVEWAYS** or **PARKING AREAS**. **STREET** shall include the following:

- (1) **EXPRESSWAY - ROADS** which provide for high-speed travel between **COLLECTOR ROADS** or between other **EXPRESSWAYS** and which have controlled **ACCESS** such that no land uses take direct **ACCESS** to the **EXPRESSWAY**.

- (2) ARTERIAL ROAD - ROADS intended to provide for high-speed travel between or within communities or to and from COLLECTORS and EXPRESSWAYS and which has direct ACCESS controlled to only regionally significant land uses.
- (3) COLLECTOR ROAD - ROADS which connect RESIDENTIAL STREETS to ARTERIAL ROADS or to provide ACCESS to NON-RESIDENTIAL USES and which has direct ACCESS limited to only NON-RESIDENTIAL USES.
- (4) MINOR COLLECTOR ROAD - COLLECTOR ROADS which primarily function to provide direct ACCESS to NON-RESIDENTIAL USES and which therefore carry traffic at lower speeds, connecting RESIDENTIAL STREETS and COLLECTOR ROADS.

- (5) RESIDENTIAL STREET - ROADS which primarily function to provide direct ACCESS to RESIDENTIAL USES.

STREET, CUL-DE-SAC - A STREET with only one outlet and having the other end designed and constructed for the reversal of traffic movement.

STREET, LOOP - A STREET that has its only ingress and egress at two points on the same MINOR COLLECTOR ROAD or COLLECTOR ROAD.

STREET FRONTAGE - All property on one side of a STREET, between two (2) intersecting STREETS (crossing or terminating), measured along the line of the STREET, or the property ABUTTING on one side of a STREET between an intersecting STREET and the dead-end of a STREET.

STREET STUB - A portion of a STREET for which an extension has been proposed and approved. May be permitted when DEVELOPMENT is phased over a period of time, but only if the STREET in its entirety has been approved in the PRELIMINARY PLAN.

STRUCTURE - Any man-made object having an ascertainable stationary location on or in LOTS or water, whether or not affixed to the LOT. STRUCTURE includes but is not limited to BUILDINGS, garages, carports, SIGNS, etc.

SUBDIVISION - The division or redivision of a LOT, or PARCEL of land by any means, into two (2) or more LOTS, PARCELS or other divisions of land, including changes in existing LOT lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or BUILDING or LOT DEVELOPMENT; provided, however, that the SUBDIVISION by lease of land for agricultural purposes into PARCELS of more than ten (10) acres, not involving any new STREET or EASEMENT of ACCESS or residential dwellings shall be exempted.

SUBGRADE - The natural ground lying beneath a ROAD.

SUBSTANTIALLY COMPLETED - Where, in the judgment of the TOWNSHIP ENGINEER, at least 90% (based on the cost of the required IMPROVEMENTS for which financial security was posted pursuant to section 704.6) of those IMPROVEMENTS required as a condition for FINAL APPROVAL have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

SUPERVISORS - The Board of Supervisors of the TOWNSHIP.

SURVEY - A precise legal description of a LOT and the graphic delineation of precise LOT boundaries; LOT dimensions and areas; all EASEMENTS and PUBLIC and private

RIGHTS-OF-WAY; and north point and graphic scale, affecting the LOT, SITE or PARCEL prepared by a professional land surveyor licensed and registered in the Commonwealth of Pennsylvania.

TOTAL OPEN SPACE - The total amount of RESOURCE PROTECTION LAND and RECREATION LAND required on a SITE as calculated in section 310 of the ZONING ORDINANCE.

TOWNSHIP - The 2nd Class TOWNSHIP of Findlay.

TOWNSHIP ENGINEER - A registered profession engineer in Pennsylvania designated by the TOWNSHIP.

TRIP - A single or one-way vehicle movement to or from a property or study area. TRIPS can be added together to calculate the total number of vehicles expected to enter and leave a specific SITE over a designated period of time.

USCGS - (Also USC&G and USC&GS) United States Coast and Geodetic Survey.

WETLANDS - All ponds, lakes, rivers, streams and brooks, and those geographical areas characterized by any or all of the following:

- (a) Marshes, swamps, bogs, or other areas of permanent water retention fed by springs or natural drainage systems,
- (b) All natural drainage systems which contain running water at least six (6) months of the year,
- (c) Lands and submerged lands supporting a prevalence of aquatic or semi-aquatic vegetation.

WYE - Point of connection of sanitary lateral sewer with the main collection line.

YARD - An open space at GRADE between a BUILDING and the adjoining LOT lines, unoccupied by any use or by any portion of a STRUCTURE from the ground upward, except as otherwise provided herein. In measuring a YARD for the purpose of determining the width of a SIDE YARD, the depth of a FRONT YARD, or the depth of a REAR YARD, the minimum horizontal distance between the LOT LINE and the main BUILDING shall be used.

YARD, FRONT - A YARD extending across the front of a LOT between the side LOT LINES and being the minimum horizontal distance between the STREET RIGHT-OF-WAY line and the main BUILDING or any projection thereof, other than the projections of the usual uncovered steps, uncovered balconies, or uncovered porch. LOTS having

frontage on more than one STREET shall provide required FRONT YARDS along every street.

YARD, REAR - A YARD extending across the rear of a LOT and being the required minimum horizontal distance between the rear LOT LINE and the rear of the main BUILDING or any projection of uncovered steps, unenclosed balconies, or unenclosed porches.

YARD, SIDE - A YARD between the main BUILDING and the side of the LOT, and extending from the required FRONT YARD to the required REAR YARD, and being the minimum horizontal distance between a side LOT and the side of the main BUILDING or any projections thereof.

ZONING APPROVAL - Approval under the provisions of the ZONING ORDINANCE certifying that an APPLICATION FOR DEVELOPMENT or application for OCCUPANCY PERMIT has fulfilled the requirements of the ZONING ORDINANCE.

ZONING DISTRICT - An area of the TOWNSHIP in which regulations under the ZONING ORDINANCE uniformly apply including OVERLAY DISTRICTS.

ZONING DISTRICT MAP - The official map of the TOWNSHIP which shall indicate the ZONING DISTRICTS and OVERLAY DISTRICTS and other relevant information thereon and shall be a part of this ORDINANCE by reference.

ZONING ORDINANCE - The Findlay TOWNSHIP Zoning ORDINANCE, ORDINANCE 196 (9/27/90, as amended).